

APPLICANT: STERLING PETROLEUM ENTERPRISES, INC.

- (1) Applicant is requesting to permit a fuel island canopy setback varying from 6' to 10.3' (17' required) from the side street (east and west) property lines.
- (2) Applicant is requesting to permit said gas station/convenience store with 3 parking spaces (7 required).
- (3) Applicant is requesting to permit a gas station/convenience store setback 5.9' (15' required) from the side street (east) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(a)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Weststar Service Station Canopy," as prepared by Carlos Marin & Associates, dated 6/22/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Commencing at the Northwest corner of the SW ¼ of the NE ¼ of the NE ¼ of Section 32, Township 52 South, Range 42 East; thence run N88°57'45"E along the north boundary of the SW ¼ of the NE ¼ of the NE ¼ of said Section 32 or a distance of 5.63' to the Point of intersection with the E/ly right-of-way boundary of East Dixie Highway; thence run S11°17'12"W along the E/ly right-of-way boundary of said East Dixie Highway a distance of 116.44' to the Point of beginning of the parcel of land hereinafter to be described: thence continue on the last described course a distance of 242.16' to the Point of intersection with the E/ly extension of the north right-of-way boundary of N.E. 116th Street, as shown on plat of BISCAYNE SHORES, UNIT #4 CORRECTED, Plat book 32, Page 39; thence run N88°58'12"E along the last described line a distance of 28.71' to the Point of intersection with the W/ly right-of-way boundary of Florida State Road No. 5; thence run N23°09'23"E along the W/ly right-of-way boundary of said State Road No. 5 a distance of 240.54' to a point, said point being 143.54' S/ly of the north boundary of the SW ¼ of the NE ¼ of the NE ¼ of said Section 32; thence run N78°24'16"W a distance of 77.53' to the Point of beginning; LESS THE FOLLOWING PARCEL: A portion of the SW ¼ of the NE ¼ of the NE ¼ and a portion of the SE ¼ of the NW¼ of the NE ¼ of Section 32, Township 52 South, Range 42 East, being more particularly described as follows:

Commence at the Northwest corner of the SW ¼ of the NE¼ of the NE ¼ of said Section 32; thence run N87°00'17"E along the north line of said fractional portion of land a distance of 1.716 meters (5.63') to the E/ly right-of-way line of East Dixie Highway, as shown on the corrected plat of BISCAYNE SHORES UNIT NO. 4, Plat book 32, Page 39; thence run S9°20'51"W along said E/ly right-of-way line a distance of 93.44 meters (306.56') to the Point of beginning of the parcel of land hereinafter to be described; thence run S80°39'09"E, at right angles for 6.092 meters (19.99') to the Point of intersection with a line 15.24 meter (50') NW/ly of and parallel with the

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HEARING NO. 05-1-CZ7-1 (04-247)

32-52-42
Council Area 7
Comm. Dist. 4

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centerline of former Federal Highway (presently Biscayne Boulevard/State Road 5) as shown on the plat of Federal Aid Project #41, Plat book 10, Page 61, and as dedicated by Deed Book 677, Page 298; thence run N21°14'35"E along said NW/ly parallel line for 59.105 meters (193.91'); thence run S80°10'20"E a distance of 5.286 meters (17.34') to the NW/ly right-of-way line of said Biscayne Boulevard/State Road 5 as shown on the plat federal aid project #41 (10.058meters or 33' NW/ly of the centerline of said Biscayne Boulevard/State Road 5); thence run S21°14'35"W along said NW/ly right-of-way line for 73.46 meters (241.01') to the E/ly projection of the north right-of-way line of N.E. 116th Street; thence run S87°04'32"W along said E/ly projection of 8.615 meters (28.27') to the E/ly line of said East Dixie Highway; thence run N09°20'51"E along said E/ly line for 15.922 meters (52.24') to the Point of beginning.

LOCATION: 11650 Biscayne Boulevard, Miami-Dade County, Florida.

SIZE OF PROPERTY: 7,599 sq. ft.

PRESENT ZONING: BU-2 (Business – Special)